

***UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK***

JORDAN WEXLER,

Plaintiff,

Civil Action File No.
2:14-cv-02420-JFB-GRB

vs.

I.C. SYSTEMS, INC.,

Defendant.

NOTICE OF MOTION TO DISMISS

S I R S:

PLEASE TAKE NOTICE that upon the amended complaint in this action and upon all of the arguments presented in the memorandum of law submitted herewith defendant will move this court before the Honorable Joseph F. Bianco, U.S.D.J. in courtroom 920 of the United States Courthouse located at 100 Federal Plaza, Central Islip, New York on November 18, 2014 at 4:30 in the afternoon or as soon thereafter as counsel may be heard for an order pursuant to Federal Rule of Civil Procedure 12(b)(6) dismissing plaintiff's complaint in its entirety and with prejudice as plaintiff's amended complaint fails to state a cause of action upon which relief may be granted against defendant.

PLEASE TAKE FURTHER NOTICE that, pursuant to prior order of this court (Honorable Joseph F. Bianco U.S.D.J.), opposing papers, if any, must be served and filed on or before September 26, 2014.

Dated: Hicksville, New York
August 27, 2014

Respectfully submitted,

s/ Bradley J. Levien
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TO: Shimshon Wexler
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on behalf of himself and all others similarly situated
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